

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
EASTERN DIVISION

UNITED STATES OF AMERICA )  
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v                              )      3:05-CR-234-A  
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                              )  
TYRONE WHITE              )

**FIRST PRETRIAL CONFERENCE ORDER**

Following Defendant's Arraignment on the Indictment originally filed on October 4, 2005, this court scheduled an initial pretrial conference for November 16, 2005, continued the conference to November 21 after the filing of a superseding indictment on November 15, and for good cause thereafter shown, set the supplemental pretrial conference conducted this day. Based on the matters considered and representations made at this pretrial conference, it is, for good cause,

**ORDERED** as follows:

**1. *Discovery***

The United States submitted on November 30, 2005, all available discovery. Defendant shall produce not later than December 20, 2005, any discovery due to the United States.

**2. *Additional Pretrial Motions***

Defendant shall file not later than December 19, 2005, any additional pretrial motions warranted by the superseding indictment.

**3. *Scheduling for Trial***

Following the scheduled hearing before the trial judge, Sr. District Judge W. Harold Albritton, at 2:00 p.m. on December 15, 2005 on the United States' *Motion for Protective Order* (Doc. 34),

the parties shall confer regarding the scheduling of this case for trial on the trial judge's term commencing March 27, 2006, or on some other term.

**4. Pending Motions:** Several motions are pending as follows:

(A) the United States' *Motion for Protective Order* (Doc. 34), on which the parties have oral arguments before the trial judge scheduled on December 15;

(B) *Defendant's Motion to Dismiss Indictment and for Sanctions* (Doc. 39), concerning which the Magistrate Judge has completed an evidentiary hearing and set a schedule for post-hearing briefs;

(C) Defendant's *Third Motion to Dismiss Indictment* (Doc. 72), Defendant's *Second Motion Challenging Petit Jury Venire Composition* (Doc. 73), and Defendant's *Motion for Discovery* (Doc. 74), all filed November 29, 2005, to which the United States has been directed to file by December 19, 2005, any response in opposition.

(D) *Defendant's Motion to Dismiss Multiplicative Count* (Doc. 40, Nov. 16, 2005), now fully submitted on the *Motion* and the *Response* of the United States (Doc. 68) for Recommendation of the Magistrate Judge, without oral argument.

(E) *Defendant's Third Motion to Modify Terms of Release* (Doc. 88, Dec. 8, 2005), pending for the probation officer's recommendation to the Magistrate Judge.

Done this 9<sup>th</sup> day of December, 2005.

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/s/ **Delores R. Boyd**  
 DELORES R. BOYD  
 UNITED STATES MAGISTRATE JUDGE